

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE District**

**April 24, 2007**

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Rothschild, J., Jackson, J.  
(Assigned) and P. Gonzalez, Deputy Clerk.

Each of the following:

B188535 People v. Bowles  
B189046 People v. Raymond  
B189285 Choi v. Kim  
B189410 People v. Calmon  
B189446 People v. Silva  
B189957 People v. Martinez & Hernandez  
B190019 People v. Miguel L.  
B190828 DCFS v. Christopher W.  
B190892 People v. Reed  
B191625 People v. Leslie King  
B192225 Hakimpour v. Andraos Capital Managment  
B192613 People v. Serrano  
B193065 People v. Cooper  
B193663 DCFS v. Darryl H.  
B194247 People v. Tylin M.  
B194543 DCFS v. Guadalupe A.  
B195194 People v. Silas

Argument waived, cause submitted.

Each of the following:

B183052 Moch v. Anderson  
B187031 DCFS v. Luchengco

April 24, 2007 (Continued)

DIVISION ONE (continued)

Each of the following (continued):

B188852 Rodriguez v. Fireman's Fund Insurance Co., et al.  
B189904 Parmar v. LA CO USC Medical Center  
B192609 DCFS v. Elvira C.

Matter continued to May 22, 2007.

B188175 Shelter Management v. Haven for Affordable Housing

Matter continued to June 26, 2007.

B188665 Junho Hyon  
v.  
Eric Selten

Merits:

Argued by Tom A. Nunziato for appellant and by Harold J. Light for respondent. Cause submitted.

B188325 Ronald Jones  
v.  
Bernice Johnson

Merits:

Argued by David Romley for appellant and no appearance for respondent. Cause submitted.

DIVISION ONE (continued)

B188849 Joseph Serrato  
v.  
City of Carson

Merits:

Argued by Anthony R. Taylor for respondent and argument waived for appellant. Cause submitted.

Spencer, P.J., assumes the bench.

B172294 People  
v.  
William King

Merits:

Argued by Chris Truax for appellant and by Robert D. Breton for respondent. Cause submitted.

B193438 People  
v.  
Melvin Price

Merits:

Argued by William Flenniken for appellant and by Scott Taryle for respondent. Cause submitted.

B186393 Francis G. D'Ambrosino, M.D.  
v.  
Law Offices of Timothy J. Donahue

Merits:

Argued by Scott M. Radin for appellant and argument waived for respondent. Cause submitted.

April 24, 2007 (Continued)

DIVISION ONE (continued)

Spencer, P.J., leaves the bench.

Rothschild, J., leaves the bench.

B183138 Remote Communication Systems, Inc., et al.  
v.  
SOCAL Communication Sites, LLC., et al.

Merits:

Argued by Nancy B. Goldstein for respondents and by David M. Marcus for appellants. Cause submitted.

Rothschild, J., returns to the bench.

B192827 Law Offices of Roger C. Hsu  
v.  
Mark Chiang, et al.

Merits:

Argued by Roger C. Hsu for appellant and by Max C. Chiang for appellant. Cause submitted.

Rothschild, J., leaves the bench.

B188404 Northeast 315 Fruit Company et al.  
v.  
Roll International Corporation et al.

Merits:

Argued by Thomas J. Weiss for appellants and by Larry Gutacho for respondents. Cause submitted.

April 24, 2007 (Continued)

DIVISION ONE (continued)

Vogel, J., leaves the bench.

Rothschild, J., returns to the bench.

B187385      Knit 2000 Inc.  
                  v.  
                  Unifi, Inc., et al.

Merits:

Argued by Jacob Segura for appellant and by Stephen C. Pasarow for respondents. Cause submitted.

Court recesses.

Court reconvenes at 10:55 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Jackson, J. (Assigned) and P. Gonzalez, Deputy Clerk.

B186712      Shaver Korff & Castronovo  
                  v.  
                  Vip Bhola

Merits:

Argued by Jeanen Moenckmeier for appellant and by Tod M. Castronovo for respondent. Cause submitted.

April 24, 2007 (Continued)

DIVISION ONE (continued)

B174113      Kamiar Simantob et al.  
                  v.  
                  Kaveh Lahijani et al.  
                  Micha Mottale et al.

Merits:

Argued by John R. Fuchs for appellants and by Stephen Hogan for respondent Lahijani et al., and appellant Mottale. Cause submitted.

Rothschild, J., assumes to the bench.

Vogel, J., leaves the bench.

B189108      Yanzi Lin et al.  
                  v.  
                  John Hancock Variable Life Insurance Company

Merits:

Argued by Yanzi Lin for appellant and by John Carroll Holmes for respondent. Cause submitted.

B185830      Richard Yazmajian  
                  v.  
                  Grigor Dokuzyan et al.

Merits:

Argued by Richard Yazmajian appellant in propria persona and by Alexander Escandari for respondents. Cause submitted.

Court adjourned.



DIVISION THREE

B185811      Sturman                                      (Not for Publication)

v.  
Oshita

The order awarding attorney's fees in favor of Sturman and Tien's counsel is affirmed. Sturman shall recover his costs on appeal.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

B186934      People    (Not for Publication)

v.  
Spann

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.  
Aldrich, J.

B195819      Esmeralda B.                                      (Not for Publication)

v.  
Superior Court, Los Angeles County  
(Los Angeles County Department Of Children and Family Services, r.p.i.)

The petition for extraordinary writ is denied.

Croskey, Acting P.J.

We concur: Kitching, J.  
Aldrich, J.

DIVISION THREE (continued)

B194668      Los Angeles County, D.C.S.                      (Not for Publication)

v.  
Tamara S.

The appeal is dismissed.

Croskey, J.

We concur:   Klein, P.J.  
                  Aldrich, J.

B192296      People    (Not for Publication)

v.  
David W.

The order declaring David W. a ward of the juvenile court is affirmed.

Klein, P.J.

We concur:   Kitching, J.  
                  Aldrich, J.

B189260      Chosen Few Information Systems, Inc., et al.      (Not for Publication)

v.  
M&N Rug Enterprises, LLC, et al.

The judgment is affirmed. Appellants to bear costs on appeal.

Klein, P.J.

We concur:   Croskey, J.  
                  Aldrich, J.



DIVISION THREE (continued)

B196731 Johnny V. (Not for Publication)

v.

Superior Court, Los Angeles County

(Los Angeles County Department Of Children And Family Services, r.p.i.)

Father petition for extraordinary writ is denied.

Croskey, J.

We concur: Klein, P.J.

Kitching, J.

B185030 McMillian, et al. (Not for Publication)

v.

City of Los Angeles, et al.

The judgment in favor of plaintiffs Bonner and Allen is reversed. The judgment against defendant Assistant Director Langley is reversed. The judgment in favor of plaintiff McMillian is reversed to the extent it is based on his cause of action for failure to promote due to race discrimination. As the record does not disclose which portion of the damages awarded to plaintiff McMillian was based on the failure to promote cause of action, on which he cannot recover, as opposed to the retaliation cause of action, on which he can, we remand for a new trial on damages on plaintiff McMillian's retaliation cause of action. The parties are bearing their own costs on appeal.

Crockery, J.

We concur: Klein, P.J.

Kitching, J.

April 24, 2007 (Continued)

DIVISION FOUR

B193243      Ballinger et al.                      (Not for Publication)

v.

Lockheed Martin Aeronautics Company, Inc.

The order is affirmed. Lockheed shall recover its costs on appeal.

Willhite, Acting P.J.

We concur:    Manella, J.  
                      Suzukawa, J.

B187546      People                                      (Not for Publication)

v.

Martinez-Lezama

The judgment is affirmed.

Willhite, J.

We concur:    Epstein, P.J.  
                      Manella, J.

B193677      Los Angeles County, D.C.S.            (Not for Publication)

v.

Jose R.

The order is affirmed.

Manella, J.

We concur:    Willhite, Acting P.J.  
                      Suzukawa, J.

DIVISION FOUR (continued)

B188552      Abtahi                      (Not for Publication)

v.

Los Angeles County Tax Collector

The judgment is affirmed. Respondent shall have costs on appeal.

Manila, J.

We concur:    Willhite, Acting P.J.  
                  Suzukawa, J.

B189383      People                      (Certified for Partial Publication)

v.

Smith

The judgment is affirmed.

Epstein, P.J.

We concur:    Willhite, J.  
                  Manila, J.

B191648      People                      (Not for Publication)

v.

Federico G.

The appeal from the judgment is dismissed. The appeal from the order of May 19, 2006, denying appellant's motion to destroy his DNA sample or seal the record of it, is affirmed.

Manila, J.

We concur:    Epstein, P.J.  
                  Willhite, J.

DIVISION FOUR (continued)

B194234      Student Connection Center, LLC                      (Not for Publication)

v.  
Marymount College

The denial of prejudgment interest is affirmed. Defendant shall recover its costs on appeal.

Suzukawa, J.

We concur: Willhite, Acting P.J.  
Manila, J.

B189595      Chin    (Not for Publication)

v.  
Merchant

The judgment is affirmed. Merchant is awarded his costs on appeal.

Suzukawa, J.

We concur: Epstein, P.J.  
Manila, J.

B189835      People    (Not for Publication)

v.  
Arevalo

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.  
Manila, J.

DIVISION FOUR (continued)

B194544      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Kathy R.

The dispositional order denying reunification services to Kathy is reversed.

Willhite, J.

We concur:    Epstein, P.J.  
                  Manila, J.

B189945      Tesoriero      (Not for Publication)  
v.  
Eliaser

The judgment is affirmed. Costs on appeal are awarded to Eliaser.

Willhite, Acting P.J.

We concur:    Manila, J.  
                  Suzukawa, J.

B190896      People      (Not for Publication)  
v.  
Halverson

The judgment is affirmed.

Willhite, Acting P.J.

We concur:    Manila, J.  
                  Suzukawa, J.

DIVISION FOUR (continued)

B193302 Los Angeles County, D.C.S. (Not for Publication)

v.  
Raquel B., et al.

The orders are affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Manila, J.

DIVISION SIX

B192003 Rush (Not for Publication)

v.  
Rush

The judgment is affirmed. Respondent is entitled to recover her costs on appeal.

Perren, J.

We concur: Gilbert, P.J.  
Yegan, J.

B195476 Santa Barbara Co. Child Protective Services (Not for Publication)

v.  
Deborah D.,

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.







DIVISION EIGHT

B183966 Steven M. Garber & Associates, (Not for Publication)  
v.  
Eskandarian et al.,

The judgment is affirmed. Respondent is to recover its costs on appeal.

Flier, J.

We concur: Rubin, Acting P.J.  
Boland, J.

B178945 People (Not for Publication)  
v.  
Green, III,

The judgment on count 13 is reversed and the cause remanded for further proceedings. In all other respects, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.  
Flier, J.

B187958 People (Not for Publication)  
v.  
Aquino

The judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.  
Rubin, J.

